Previous references.
1x 209 12 , 561
1x 209 - 12 : 562.

Under the proceed
28/5/24
1913: 14
(Courts)

File No. 81-13

Serial Nos. 1-11

Later references.
CS 87 13(9-10)?
" 75-1936 5 3 4-1?

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-11

Part B. for September 13

SUBJECT.

Appointment of Mr. M. C. Ramaiengar, Advocate as special public prosecutor to conduct the Kamayya Murder Case.

Table of Contents

1 From Mr. M. C. Ramaiengar Advocate Mysore Dt 1-9-13
States that the remuneration of Rs 3000/ fixed for him for conducting the prosecution in the above case is extremely inadequate as the trial has lasted for nearly six months and requests that he may be paid Rs 6000/ in view of the fact that his practice has suffered and pecuniary losses have been sustained as he has to refuse fresh engagements and refund fees for briefs before accepted.

2 To Mr. Hamza Hussain Sessions Judge Mysore
G. R. S. 58
No. J 85 dt 3-9-13
Enquiries what the number of actual working days during which his Court sat, is in the trial of the Kamayya Case.

3 From Diwan Hemaya Hussain Esq. A.D.C. Seencom Fridge
(A) 0.8.9.9.13

Comments in reply to the required information regarding the number of actual working days during which his counsel sat in the trial of the Kammapal riot case.

4 To The U.C. Rangaiengar Advocate Negombo
No 1488 Dt 18.9.13

Intimates that Govt regret their inability to accede to his request for a reconsideration of the question of the fee payable to him for his work as special public prosecutor in the recent Kammapal riot case and for the payment of Rs 6000/- instead of the stipulated sum of Rs 3000/- for reasons stated to him.

9.13

(G.R.S. 11]

1913-14

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 87-13

FILE HEADING.

Appointment of Mr. M. Rangaengar advocate as special public prosecutor to conduct the Somnegal riot case

From Mr M.C. Rangaengar, Advocate Mysore

No. Dated 1-9-13 Received 2-9-13

Diary No. J796	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

States that the remuneration of Rs. 3000/ fixed for him for conducting the prosecution in the above case is extremely inadequate as the trial has lasted nearly six months and requests that he may be paid Rs. 6000/ in view of the fact that his practice has suffered and pecuniary losses have been sustained as he had to refuse fresh engagements and returned fees of briefs before accepted.

NOTES AND ORDERS.

Subd. When Mr. M. Rangaengar was engaged to conduct the prosecution in the above case on the stipulated terms, no time consideration arose. The period of duration of the trial does not appear to have been looked upon as an essence of the contract. A lump sum fee for the whole period of the trial whatever it might be, or a daily fee

NOTES—First Sheet.

GPB—80,000—12-9-11

was all that was expressly contemplated. Accordingly the alternative of a lump sum fee for the whole period was decided upon, that being Rs. 3000/.

We now claim twice that amount i.e. Rs. 6000/ on two reasons :-

(a) duration of the trial for nearly six months,

(b) consequent loss of private practice involving refund of fees in accepted cases and rejection of fresh ones.

For orders.

NRR
5-9-13. 2 The case has occupied about Six months in all and, taking the average number of working days at 25 per months, about 150 hearings. The fee ~~Rs~~ Rs 3000 sanctioned to Mr Rangiengar thus works out at an average daily fee of Rs 20.

Submd for orders

SJL
5/9

3 Dr Secy)

In the Diwan's Submission Note, it was stated that the case might be finished in 2 months. In Mr Chandy's letter, the duration of the trial was estimated at 80 working days. But the trial has taken twice the

G I P—65,000—17-6-12.

Serial No.

time. Although a fixed fee was accepted by Mr M. C. Ranga Iyengar, it was to a large extent dependent upon the time which the case was then expected to occupy. There seems to be much force in Mr Rangaiyar's contention; and if Govt deem fit, two-thirds of his additional claim at least may be taken into consideration.

Dwarakanath Rao
6/9/13

1st Consulter)

4 Find out please how many actual working days the Court ~~has~~ had on this case. (Confidential

D-d/-

6/9/13

5 Asst Secy with Hughes put up a d.o. Dwn 6/9

6 Draft D.O. Submitted

Dy Secy) Spl 6/9

7 Please issue the d.o. today. Dwn 8/9

2 To Mr Hamza Hussain Esq
ADC Sessions Judge Mysore
No J 850 dy 8.

Enquire what the number of actual working days during which his court-hall is in the trial of the Kanara [illegible]

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat.

File.No. 87 of 1913

Serial No.	
3	From Mir Hamza Hussain Esq (D.O. dated 9.9.13) Additional Sessions Judge Furnishes in reply the required information regarding the number of actual working days during which his court sat in the trial of the Kamiegal riot case.
8	Submitted Proceedings. Whether item No.7 (in pencil) is to be included in the actual period of Mr. Mir Rangiengar's engagement in the court is a matter for consideration. Ktc 11.9.13.
	(Dr Lee) Sgd 11/9 Dy Secy (Mr Cumelia) 11/9/13
9.	On the information now received, I do not see how Govt can sanction a larger amount. Under the rules (d. 16.3.1904) it is laid down that when other advocates (than the Govt Adv or P.P.) are employed, the terms in no case should involve greater cost to Govt. The maximum fee for the Govt Adv is 25 Rs a day + 5 Rs for adjt days.

NOTE—Contn. sheet.

G I P—65,000—17-6-12.

General and Revenue Secretariat.

cls File No. 87 of 1913.

Serial No.

The amount Calculated at these rates Comes to Rs 2935 Rs. Mr. Rangaiengar asked for a daily fee of 50 Rs, but he agreed to the lump sum that he mentioned as the alternative. He might have shown a Concession if the amount Calculated accg to our most favourable rules came to much more than 3000 Rs, but it falls short of the sum by a small difference.

10 The request may be refused with regret, the reasons being clearly explained.

11/9/13

Draft- Diwn 13/9

Sport - 13/9

12/9

11 Draft- reply Subo pn consideration

13/9/13. 12 Dr Secy)

SM 13/9

NOTE—Contn. sheet.

G I P—65,000—17-f-12.

G. R. S. 12]

General and Revenue Secretariat.

File No. 87 of 1913

Serial No.

(1) Draft is put up as per paras 9 & 10.

If permitted I will submit a few observations for the kind consideration of the 1st Councillor.

Draughtsman 15/9 13

(1st Councillor)

Draft appd. by 1st Councillor 16.9.13.

MCS

16/9 16/9

Issue

SPM 17/9

To Mr. M. Ramaswamy Advocate Mysore - J. 988 dated 18-9-13.

Intimates that Govt. regret their inability to accede to his request for a reconsideration of the question of the fee payable to him for his work as Special Public Prosecutor in the recent Kanagal case and that the payment of Rs. 6000/ instead of the Regulated sum of Rs. 3000/ for reasons stated by him.

NOTE—Contn. sheet.

G I P—85,000—17-6-12.

J-196

No 8713-1

No 2/9 Subt to correct reference

2/9

2/9

1st Sepr 1913.
Mysore.

K. R. Srinivasiengar Esq M.A.
Secretary to the
Government of Mysore,
General Revenue Department,
Bangalore.

Dear Sir,

I have the honour to inform the Government that the trial of Criminal Case no 1 of 1912-13, Government vs Kenchayya & others, otherwise known as the Kannegal Riot Case, on the file of the Additional Sessions Judge, Mysore came to a close at 7 P M on the 31st Aug 1913. The Additional

... Judge announced that the judgment in the ... would be delivered on the 10th inst.

The case began on the 10th of March 1913 ... has thus occupied a period of six months ... complete disposal. When I accepted engagement ... the case as Special Public Prosecutor I was ... the reasonable impression that the case ... would be over in less than three months. I be- ... ieve that while fixing my remuneration at ... Rupees Three Thousand, the Government too had ... reason to believe that the case would not ... occupy longer than three months for completion. ... case, contrary to all expectations the case has ... taken six months to come to a close. During all ... this period I have devoted my entire time, ... attention and energy solely to this case to the ... total exclusion of my professional work in all ... the other Courts. I have had to incur the

displeasure of a number of my clients, refuse
fresh engagements and refund fees that had been
paid to me for briefs previously accepted, whereby
my practice has suffered and heavy pecuniary
losses have been sustained.

In these circumstances I venture to submit
that the remuneration of Rupees Three Thousand
fixed before the Commencement of the trial is ex-
tremely inadequate to the length and importance
of the services I have rendered. I request the
favour of the Government reconsidering the Question
of the fee payable to me. I sincerely trust that
I shall not be considered to have valued my
services extravagantly high if I pray that the
Government may be graciously pleased to
order Rupees Six Thousand to be paid to me

fee in this case.

I have the honour to be,

Dear Sir,

your most obedient Servant,

W. Dancer

2

G. R. S. 26]

File No. 870/13

Serial No. 2

Diary No. of letter replied to

Confl

No. J 850

D.O.

General and Revenue Secretariat

( )

, the *191* .

To

Mr Humza Hussein Esq

Addl Session Judge

Mysore

Date of issue 8.9.13

Signed by Mr S Narasopala chartu

Dear Sir

May I request you to state the ac number of actual working days during which the Addl Sessions Court sat for the trial of the Kaumegal riot-case? An early reply is requested.

Yours truly

Copy

over.

SUBJECT.

Copy 8/9

Dy Secy

J-890

1913-1914
Courts
8713
3

Mysore,
9th Sept.,1913.

Dear Sir,

In reply to your D.O. letter No.J.850 dated the 8th Instant, I have herein enclosed a statement which furnishes the required information.

Yours Sincerely,

M. Krishnaswami

To

C. P. Rajagopalachar, Esquire,
Assistant Secretary.

Encl 15 to 97-13-3 Enc 6 of 8904

Statement showing the number of days the Additional Sessions Court worked, etc.-

Month.-	March from 10th.	April	May.	June.	July.	August.	Total
Days.-	22	30	31	30	31	31	175
Holidays.-	5	6	5	8	7	5	36
No.of days Judge was on leave.-	..	4	..	..	..	..	4
No.of days Court not held on account of the absence of the accused/assessors, or lawyers.-	..	..	2	2	1) 2	11) 2	8
No.of days the Court sat.-	17	20	24	20	22	24	127
No.of days the Court sat, but was obliged to adjourn the case on account of the abence of the accused/assessors or lawyers.-	..	2	4	1	4	1	12
No.of days the Court actually worked.-	17	18	20	19	18	23	115

Remarks.- 1) For non-appearance of defence witnesses.
11) 1 for absence of accused and the other for non-appearance of defnce witnesses.

q.e.Lep.
Nagpur

Additional Sessions Judge
Additional Sessions Judge

115
25
2875
60
2935

5

G. R. S. 26]

1717

File No. 87-13
Serial No. 4

Diary No. of letter replied to

No. J988

General and Revenue Secretariat
( )
, *the* 191 .

To
M. Ranganayakamma
Advocate
Mysore.

Date of issue 18.9.13

Signed by M S Nanjapopala
chan

Dear Sir

Please refer to your letter dated 18th September 1913 addressed to the Secretary to the Govt of Mysore, General Rev. depart, requesting Govt may reconsider the question of the fee payable to you for your work as special Public Prosecutor in the recent Kanagal riot case and ~~to pay you~~ Rs. 6000/ instead of the stipulated Sum of Rs 3000/ for reasons therein stated be paid to you.

SUBJECT.

2. I am desired in reply to point out that when ~~under Standing Order of Govt,~~ other advocates (than the Govt advocate and the Public Prosecutor) are employed, the terms in no case should involve greater cost to Govt than is permissible under the standing rules on the subject. The maximum fee to the Govt Advocate is Rs. 25 a day, ~~and~~ only Rs 5 being payable for ~~on~~ Every adjournment days. The amount calculated at these rates for the days the addl Sessions Court Sat, comes to Rs. 2935. You asked for a daily ~~fees~~ fee of Rs. 50 but Govt agreed to the lump sum that you mentioned as the alternative namely Rs 3000. There would have been room for a concession in your favour, if the amount

List of enclosures,

Copied by

Examined by

GPB—25,000—8-8-11.

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

calculated according to the most favourable rules of Govt. had come to much more than Rs. 3000/ but it falls short of the sum by a small difference -

I am therefore desired to inform you that Govt. in the circumstances regret their inability to ~~accede~~ accede to your request.

I am &c

16/9/13

Secy to Govt. 1579

MR
13.9.13.